

PATENT

Paper No.

File: Contcir-P1-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : McDermott, Brian J.; McGowen, Daniel; Spotts, Ralph Leo Jr.; Tryzbiak, Sid

Serial No. : 10/790,363

Filed : March 1, 2004

For : ELECTRICAL DEVICE WITH TEETH JOINING LAYERS
AND METHOD FOR MAKING THE SAME

Group Art Unit : 2841

Examiner : Dinh, Tuan T

MS: No Fee Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

S I R :

In response to the Office Action mailed June 12, 2007, in the above-referenced patent application, please enter the following First, Second, Third, and Fourth Petitions to the Director and reconsider the application in view of the Amendment and Response filed on February 23, 2007, as fully responsive to its preceding Office Action. The application is believed to be in condition for allowance, and favorable action is requested.

In response to the Office Action decision holding the filing of February 23, 2007, as not fully responsive:

First, a declaration (e.g., the Declaration of Professor C. P. Wong) is not necessary for a complete response to an Office Action; Applicant respectfully submits that the Amendment and Response filed on February 23, 2007, is fully responsive.

Second, with regard to the Declaration of Professor Wong: *In re Lindell*, 385 F.2d 453, 155 USPQ 521 (CCPA 1967): "Some weight out to be given to a persuasively supported statement of one skilled in the art on what was not obvious to him."

Third, Applicant filed a Petition to Vacate the Restriction Requirement along with the filing of February 23, 2007, and this Petition stands independent of the Amendment and Response so as to require action by the Patent and Trademark Office, yet there has been no PTO reply.

Fourth, Applicant has repeatedly requested that examination be carried out in compliance with MPEP Sec. 2181, and yet there has been no PTO reply.

Fifth, Applicant has repeatedly requested that examination be carried out in compliance with MPEP Sec. 2141.02V, and yet there has been no PTO reply.

Applicant has therefore been left with no alternative but to file the enclosed First, Second, Third, and Fourth Petitions to advance prosecution.

The applicaton is in condition for allowance, and favorable action is again requested.

If any extension of time is required, it is requested that this be deemed a petition and request therefore.

The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235.

Please direct all correspondence to the undersigned at the address given below.

Respectfully submitted,



Date: July 12, 2007

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